IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Axel ULLRICH et al.

Title: FLK-1 IS A RECEPTOR FOR

VASCULAR ENDOTHELIAL

GROWTH FACTOR

Appl. No.: 10/799,782

Filing Date: 3/15/2004

Examiner: Lorraine Spector

Art Unit: 1647

Confirmation 8953

Number:

TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Your Petitioners, MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG DER WISSENSCHAFTEN, E.V., having its principal place of business at AM KLOPEFERSPITZ 18A, 82152 MARTINSRIED, GERMANY, and YISSUM RESEARCH, DEVELOPMENT COMPANY OF THE HEBREW UNIVERSITY OF JERUSALEM, 46 JABOTINSKY STREET, P.O. BOX 4279, JERUSALEM 91042, ISRAEL, represent that they are the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 10/799,782, filed 3/15/2004, which is a division of U.S. Patent Application No. 09/766,678, filed 1/23/2001 (now U.S. Patent No. 6,872,699) which is a continuation of U.S. Application Serial No. 08/965,598, filed November 6, 1997 (now abandoned) which is a continuation of U.S. Application Serial No. 08/193,829, filed February 9, 1994 (now U.S. Patent No. 6,177,401) by virtue of an Assignment

of U.S. Application Serial No. 08/193,829 (now U.S. Patent No. 6,177,401) filed and recorded on June 23, 1994, on Reel/Frame 007033/0720 and Reel/Frame 007036/0807, in the United States Patent and Trademark Office, copies of which are attached hereto as APPENDIX A.

Your petitioners MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG DER WISSENSCHAFTEN, E.V., and YISSUM RESEARCH, DEVELOPMENT COMPANY OF THE HEBREW UNIVERSITY OF JERUSALEM represent that they are the owner of the entire right, title, and interest in and to U.S. Patent Application Serial No. 08/443,861 (now U.S. Patent No. 5,851,999) which is a division of U.S. Application Serial No. 08/193,829, filed February 9, 1994 (now U.S. Patent No. 6,177,401) by virtue of an Assignment of U.S. Application Serial No. 08/193,829 (now U.S. Patent No. 6,177,401) filed and recorded on June 23, 1994, on Reel/Frame 007033/0720 and Reel/Frame 007036/0807, in the United States Patent and Trademark Office (APPENDIX A).

Your Petitioners, MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG DER WISSENSCHAFTEN, E.V., and YISSUM RESEARCH, DEVELOPMENT COMPANY OF THE HEBREW UNIVERSITY OF JERUSALEM hereby disclaim the terminal part of the term of any patent granted on the above identified patent application which would extend beyond the full statutory term, as shortened by any terminal disclaimer, of U.S. Patent 5,851,999, and hereby agree that any patent so granted on the above identified patent application shall be enforceable only for and during such period that U.S. Patent 5,851,999 and any patent granted on the above identified patent application are commonly owned, this agreement to run with any patent granted on the above identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioners do not disclaim any terminal part of any patent granted on the above identified patent application, prior to the full statutory term of U.S. Patent 5,851,999 as defined in 35 U.S.C. §§154-156 and 173, in the event that U.S. Patent 5,851,999 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid

in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR \$1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise not deemed to provide the rights conveyed by 35 USC \$154, prior to the full statutory term of U.S. Patent 5,851,999 as defined in 35 USC §§154-156 and 173, except for the separation of ownership stated above. Further, Petitioners do not disclaim any terminal part of a patent granted on the above identified patent application that would extend beyond the present termination of U.S. Patent 5,851,999, in the event that such present term is extended by virtue of compliance with the conditions for term extension of any present or future patent term extension provisions of the patent law, including but not limited to 35 U.S.C. §§155, 155A or 156, and without waiving Petitioner's right to extend the term of a patent granted on the above identified patent application to the extent provided by law. The undersigned, being the Attorney of Record for the above identified patent application, and duly authorized to act on behalf of Petitioners, certifies that she has reviewed the Assignments attached as APPENDIX A, and to the best of her knowledge and belief, ownership to the above identified patent application and U.S. Patent 5.851,999 rests with Petitioners, MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG DER WISSENSCHAFTEN, E.V. and YISSUM RESEARCH, DEVELOPMENT COMPANY OF THE HEBREW UNIVERSITY OF JERUSALEM.

The undersigned declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

Date: June 16, 2010

FOLEY & LARDNER LLP Customer Number: 22428 Telephone: (202) 672-5538 Facsimile: (202) 672-5399 Michele M. Simkin Attorney for Applicant Registration No. 34,717





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Pages: 5

Pages: 4

Exec Dt: 06/07/1994

Assignments on the Web > Patent Query

Patent Assignment Abstract of Title

NOTE:Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 2

Filing Dt: 02/09/1994 Issue Dt: 01/23/2001 Application #: 08193829 Patent #: 6177401

Inventors: AXEL ULLRICH, WERNER RISAU, BIRGIT MILLAUER

TITLE: USE OF ORGANIC COMPOUNDS FOR THE INHIBITION OF FLK-1 MEDIATED VASCULOGENESIS AND ANGIOGENESIS

Assignment: 1

Recorded: 06/23/1994 Reel/Frame: 007033/0720

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Exec Dt: 05/26/1994 Assignors: ULLRICH, AXEL Exec Dt: 06/06/1994 RISAU. WERNER

MILLAUER, BIRGIT

Assignee: MAX-PLANCK-GESELLSCHAFT ZUR FORDERUNG DER WISSENSCHAFTEN E.V.

AM KLOPFERSPITZ 18A 82152 MARTINSRIED, GERMANY

GERMANY

Correspondent: PENNIE & EDMONDS LAURA A. CORUZZI

> 1155 AVENUE OF THE AMERICAS NEW YORK, NEW YORK 10036

Assignment: 2

Recorded: 06/23/1994 Reel/Frame: 007036/0807

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS). Exec Dt: 06/01/1994

Assignors: GAZIT, AVIV

Exec Dt: 06/07/1994

Assignee: YISSUM RESEARCH, DEVELOPMENT COMPANY OF THE HEBREW UNIVERSITY OF JERUSALEM 46 JABOTINSKY STREET P.O. BOX 4279

JERUSALEM 91042

ISRAEL.

LEVITZKI, ALEX

Correspondent: LAURA A. CORUZZI

PENNIE & EDMONDS 1155 AVENUE OF THE AMERICAS

NEW YORK, NY 10036

Search Results as of: 03/02/2010 01:21 PM

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Attorney Docket Number 7683-060

Box An	ER OF PATENTS AND TRADEMARKS
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Please record the attached orig	inal documents or copy thereof.
Name of conveying party(les):	2 Name and address of receiving party(ins):
Arel Ullrich, Werner Risau, and Sirgit Millauer	Name <u>Naw-Planck-Gesellschaft</u> sur Förderung der Wissenschaften e.V.
Additional name(s) of conveying party(ins) attached? [] Yes [E] No	Addres: Am Elopferspits 183
3) Nature of conveyance: G	82152 Martineried, Germany
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Execution Date: 5/26/94, 6/6/94 & 6/7/94	2. 7. T
Application number(s) or patent number(s):	, E 6.
If this document is being filed together with a new application, the execu	tion date of the application is:
A. Patent Application No.(s) 68/193,829	B. Patent No.(s)
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3) Name and address of party to whom correspondence concerning document should be mailed:	Mumber of applications and patents involved:
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	Deposit account number: 16-1150 (A copy of this page is attached)
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9.) Statement and signature.	
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ASSIGNMENT

WHEREAS, WE, And Ullrich,	Werner Rissu, and Birgit Millsmer.	ASSIGNORS, residing at Adalbertstr. 108
8000 Mitchen 40, Germany, citizen of G	ermany; Rottenbucherstr. 54, 803.	Gratelfing, Germany, citizen of Germany the inventors of the invention in PR:1 IS A which we have executed an application for
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which is executed on oven date heres	with or
which is identified by Pennic & Edmonds of Which was filed on February 9, 1994, Seria	i No. 08/193,829
and WHEREAS, Max-Planck-Gesellschaft zer I the entire right, title and interest in, to and und	Förderung der Wissenschaften e.V., ASSIGNEE is desirous of obtaining ler the said invention and the said application:
valuable consideration, the receipt of which is transferred and not over, and by these pressures its successors, legal representatives and medical, the and Union States application and all division protection, including, when the production of the protection, including, when the productive of com- putations and the right to class for the anno- lement Laws of the Union States, the Internal instrustional agreement or the domastic laws of and all from of infunction properly protection, in, and designs which may be granted for said in extension. Decreases and the right of class for the extensions, renowns and releases thereof;	of the sum of One Dollar (\$1.00) to us in hand paid, and other good and hardey acknowledged, we, the said ASSIGNORS, have sold, assigned, to hereby sell, seeing, trustfer and set over, unto the said ASSIGNORS, the entire right, with an elimente in, to and under the said investion, each as, reservable and continuations thereof, and all Pleases of the United Stotes as and extensions thereof, and all applications for industrial property plications for paintins, willly models, and designs which step beceases the stress fourige to the United States, appether with the right to file such the priority rights derived from said United States applications under the and Convention for the Protection of Industrial Property, or any other the country in which any such application is filed, as may be applications cheeping, without infantion, passent, utility models, in sevent or efficial results in any country or countries family to the United States and all
and any Official of any country or countries rose or forms of industrial property protection on successors, legal representatives and assigns, is	
AND WE HEREBY coverant and agree	ce that we have full right to convey the entire interest herein assigned, and e, any agreement in conflict herewith.
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Date 5/26/94 1994 Signed:	First State Line Axed Utirish
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On this day of 19: personally appeared _Axe Ulirich to me kno the foregoing instrument, and he acknowledge	94, before me, a Notary Public in and for the City and Country aforesaid, was and known to me to be the person of that name, who signed and scaled id the same to be his free act and deed.

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Date	, 1994 Signed:	Birgit Mills
City of	} ss.:	
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Mr. 145 der Urkundenrolle für 1994

Vorstehende, vor mir vollzogene Unterschrift des Herrn Dr. Werner August Risau, geb. am 18.12.1953, wohnhaft in 35510 Bumbach/Nieder Weisel, Dresdener Straße 2, ausgewiesen durch Reisepaß Nr. 8261045060, beglaubige ich.

Friedberg/Hessen, den 06. Juni 1994



	Dete	, 1994 Signed:			Werner Rissu
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	On this day personally appeared seeded the foregoing in	of 1994, Werner Risas to me kn strument, and he acknowle	, before me, a Notary Public is sown and known to me to be t ledged the same to be les free	a and for the City as the person of that is act and deed.	d Country aforesaid, me, who signed and
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Application number(s) or patent unmber(s):	
is document is being filed together with a new application, the of A. Patent Application No.(s) 08/193,829 Additional number	B. Patent No.(6)
Name and address of party to whom correspondence concerning document should be statled:	6. Number of applications and patents involved: 1
PERRICE & EDISCONDS 1155 Arouse of the Americas New York, NY 10036	7. Total for (37 CPR 3.41):

e the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the riginal document.

PROTECT A. COTOSES 30.742 for Laura A. Carage June 23.19
Name of Person Signing Reg. No. Significan O. Allowides, Ers. on 1989 22.5.

Most decements to be recorded with required over short information to: Commissioner of Painets & Trademocks, New Assignments 91823653

EXPRESS MAIL CERTIFICATION

B. CHOWATE

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City of Jerusalen

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ASSIGNMENT

WHEREAS, WE, Avir Gusk and Alex Levintsi, ASSIGNORS, making at NOP Harim 14, Jerusalem, Iarael, citizen of Iarael; and Mo Palmach, Jerusalem, Inned, citizen of Iarael, see the Inventors of the Inventors in PIL-1 IS A RECOFFOR FOR VASCULAR ENDOTHELIAL GROWTH FACTOR for which we have executed an application for a Patent of the United Science.

	which is executed on	even date herewith or	D	(date)
	MI Link was filled on Fi	Pennic & Edmonds dockst s chrossy 9, 1994, Serial No. (MA TO SAMES	
	and WHEREAS, Yesson i	Research, Development Comp dat, title and interest in, to an	any of the Hebrew Us of under the said inv	niversity of Jerusalem, ASSIGNEE is desirous ention and the said application:
• *** ** * * * * * * * * * * * * * * *	vajushle consideration, di transferred and set over, its successors, legal report the said United States app which may be greated to geotection, including, wi filed for said invention applications and the right Patent Laws of the United international agreements and all forms of the United and all forms of the Only and the Con- tant Control of the Con- tant Control of the Con- tant Control of the Con- tant Control of the Con- trol of the Con- trol of the Control of the Con- trol	ORE, in consideration of the to receipt of which is hereby and by those presents to her and by these presents to her executives and explained and district on the function and all districts on the function of the function o	sum of One Dollar (5 acknowledged, we have been been been been been been been be	\$1.00) to us in hand paid, and other good and the said ASSIGNORS, have sold, satisfactor, safer and an over, with the said Assignor. So the said of the said of the said of the said for the said of the said of the said of the said all applications for industrial property models, and designs which may lessed to the said all applications for industrial property models, and designs which may lessed to \$18 and \$1 States, together with the right to file and forms said Under States application saids of the form said under the said of the said of the said of the said of the said of the said of the said of the said of the said of the said of the said of the said of the said of the said of the patents, utility models, investors o'criticate and constriles foreign to the United States and all
	or forms of industrial p	coperty protection on applicantatives and assigns, in accor-	tions as aforesaid, t	Patents and Trademarks of the United States one duty it is to issue patents or other evidence to issue the same to the said ASSIGNEE, is nof this instrument.
	dear was have not execute	M. MAI WHI MAX CHECKING, MAY	Account m comme	convey the entire interest herein assigned, an a herewith.
-	AND WE HER legal representatives and all lawful papers, execut do everything possible to	HBY further covenant and agr assigns, say facts known to a sill divisional, continuing, re o aid the said ASSIGNEE, in it invention in all countries.	ree that we will come is respecting said inve- lease and foreign app successors, legal rep	numicate to the said ASSIGNEE, its successor ention, and testify in any logal proceeding, sig- dications, make all rightful dedis, and general rescentatives and senigns, to obtain and enfor-
•	IN TESTIMON	Y WHEREOF, We hereunto	set our hands and so	als the day and year set opposite our respecti
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	1 6 1004	cons stands		

Country of Israel 21.00 1994, before me, a Notary Public in and for the City and Count to me known and known to me to be the person of that name, who signs acknowledged the same to be his free act and deed.

Notary Public.

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SS. SS.	Date 6/ (/ 7/ 1994 S	JUN 23 94	New Lovins
proposed Alex Letizals, personally below is on the Province of the Province of the Company of th	County of SS.:	Pollo Pollo Pol	Flor Contra
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	COMMILE 983074	the same in his/her/their authorized capacity(iee), and that by his/her/their signature(s) on the instrument the person(s), at the entity upon behalf of which the	OTHER:

PATENT & TRAUTHARK OFFICE